Conference on Disarmament

17 August 2018

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Note verbale dated 3 August 2018 from the Permanent Mission of the Socialist Republic of Viet Nam to the United Nations Office, the World Trade Organization and other International Organizations at Geneva addressed to the Secretariat of the Conference on Disarmament, and in its capacity as the Coordinator for the Group of 21

The Permanent Mission of the Socialist Republic of Viet Nam to the United Nations Office, the World Trade Organization and other International Organizations has the honour to submit herewith the G-21 Working paper on the Prevention of an Arms Race in Outer Space (PAROS).

On behalf of the Group of 21, the Permanent Mission of Viet Nam requests that the document be issued as an official Working paper of the Conference on Disarmament for the year 2018.

The permanent Mission of the Socialist Republic of Viet Nam to the United Nations Office, the World Trade Organization and other International Organizations at Geneva avails itself of this opportunity to renew to the Secretariat of the Conference on Disarmament the assurance of its highest consideration.

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Prevention of an Arms Race in Outer Space (PAROS)

1. The Group of 21 believes that space technology has indeed become an indispensable and integral part of our daily lives. Never before have information, communication, banking, economic transactions, navigation, and even political and strategic decision making been so dependent on space-based technologies, which are themselves witnessing rapid growth.

2. The Group reiterates that outer space and other celestial bodies are the common heritage of humankind and must be used, explored and utilized for the benefit and interest of all humankind in a spirit of cooperation. The Group reaffirms that the exploration and use of outer space and other celestial bodies shall be for peaceful purposes only and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development.

3. The Group stresses that the growing use of outer space requires all states to take actions to ensure greater transparency, confidence building measures and better information. The Group believes that all States with major space capabilities have a special responsibility to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space. All States should refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation.

4. The Group recognizes that the prevention of an arms race in outer space would avert a grave danger for international peace and security. The Group emphasizes the necessity of undertaking further measures with appropriate and effective verification provisions to prevent an arms race in outer space in all its aspects.

5. The Group emphasizes the importance and urgency of preventing an arms race in outer space and the paramount importance of strict compliance with the existing legal regime concerning the use of outer space. In this regard, the Group is deeply concerned over the increasing threat of weaponization of outer space including the negative implications of the development and deployment of anti-ballistic-missile defence systems and the pursuit of advanced military technologies capable of being deployed in outer space which have, inter alia, contributed to the further weakening of an international climate conducive to the promotion of disarmament and the strengthening of international security.

6. The Group stresses that all states bear a responsibility to refrain from activities that could jeopardize the collective goal of preserving outer space free from weapons of mass destruction and all other forms of weaponization so as to ensure that its benefits are available to all.

7. The Group considers that the multilateral disarmament agreements provide mechanisms for States Parties to consult one another and cooperate in solving any problems which may arise in relation to the objective of, or in the application of, the provisions of the agreements, and that such consultations and cooperation may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with the Charter of the United Nations.

8. The prevention of an arms race in outer space has assumed greater urgency because of legitimate concerns that existing legal instruments are inadequate to deter further militarization of outer space, or prevent its weaponization. The Group further reaffirms its recognition that the legal regime applicable to outer space does not in and of itself guarantee the prevention of an arms race in outer space. For that purpose, the Group stresses the need to consolidate and reinforce that regime and enhance its effectiveness.

9. In this regard, the Group reaffirms that the Conference on Disarmament is the single multilateral disarmament negotiating forum of the international community, which has the primary role in conducting substantive negotiations on priority issues of disarmament. The Group, therefore, believes that the Conference on Disarmament should start negotiations on matters related to the "Prevention of an arms race in outer space" without delay.

10. While welcoming the adoption of resolution 72/26 entitled "Prevention of an arms race in outer space" by the UN General Assembly, the Group recalls that the resolution made the following observations with regard to the Conference on Disarmament:

(a) The Conference on Disarmament has the primary role in the negotiation of a multilateral agreement or agreements on the prevention of an arms race in outer space in all its aspects; and

(b) The Conference on Disarmament should establish a working group under its agenda item entitled "Prevention of an arms race in outer space" as early as possible during its 2018 session.

11. The Group of 21 takes note of the completion of the work of the Group of Governmental Experts and the adoption of a study on outer space transparency and confidence-building measures as requested by resolution 65/68 of the General Assembly of the United Nations on "Transparency and confidence-building measures in outer space activities", which was adopted by consensus at the sixty-eighth session of the General Assembly of the United Nations. The Group, while stressing the priority of negotiating legally binding instruments for reinforcing the international legal regime on outer space, recognizes that global and inclusive transparency and confidence building measures, reached at through broad international consultations, could be important complementary measures. The Group recognizes the value of TCBMs including a non-legally binding Code of Conduct in promoting trust among states. However, such voluntary measures cannot be a substitute for a legally binding treaty on PAROS.

12. The Group welcomes the updated draft treaty text submitted jointly by the Russian Federation and China on the "Prevention of the placement of weapons in outer space, the threat or use of force against outer space objects" (PPWT) to the Conference on Disarmament in June 2014. This initiative is a constructive contribution to the work of the Conference, and is a good basis for discussions toward adopting an international binding instrument.

13. The Group welcomes the adoption of resolution 72/27 titled "No first placement of weapons in outer space" by the UN General Assembly on 4 December 2017.

14. The Group also welcomes the adoption of resolution 72/250 titled "Further practical measures for the prevention of an arms race in outer space" by the UN General Assembly on 24 December 2017, which urged the CD to immediately commence negotiations on an international legally binding instrument on the prevention of an arms race in outer space, including, inter alia, on the prevention of the placement of weapons in outer space.

15. The Group takes notes of the substantive and interactive informal discussions on PAROS held in the CD from 11-13 June 2014 pursuant to the Schedule of Activities of the 2014 session contained in document CD/1978, on 13 and 20 August 2015 pursuant to the Schedule of Activities of the 2015 session contained in document CD/2021, and on 14-16 June 2017 under the Working Group on the Way Ahead established by decision CD/2090. The Group looks forward to substantive discussions on the issue of PAROS in Subsidiary Body 3 this year, pursuant to decisions CD/2119 and CD/2126.